

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION

U.S. EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
Petitioner,) Civil Action No.
v.)
MARTIME AUTOWASH, INC.,)
Respondent)

DECLARATION OF MARIA SALACUSE

I, Maria Salacuse, under oath do depose and state as follows:

1. I am over the age of 18 and am competent to testify to the matters and facts herein.
2. I am a Supervisory Trial Attorney with the Equal Employment Opportunity Commission's Baltimore Field Office.
3. Immediately following the Court's hearing on March 12, 2015, I interviewed Elmer Escalante who confirmed that he had worked for Respondent during the period of May 2012 through July 2013, but that he had worked under a different name, Angel Erazo, during the period May 2012 through May 2013. When asked to explain why he worked under a different name, Mr. Escalante told me that he was not legally authorized to work in the United States and that Respondent's Manager Ryan Wooldridge had advised him not to submit employment papers in his real name. Mr. Escalante also stated that Manager Wooldridge had provided him with \$150 in May 2013 so that he could obtain new papers with a different name.
4. Prior to March 12, 2015, I assumed that Mr. Escalante was documented because of the representations made by Respondent regarding his legal status during the course of the

Case 1:15-cv-00869-GLR Document 1-5 Filed 03/26/15 Page 3 of 6

EEOC's investigation.¹ March 12, 2015 was the first day that I learned that Mr. Escalante was not authorized to work in the United States.

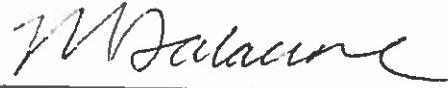
5. Also following the hearing, I noticed the footnote in the position statement submitted on behalf of Respondent which stated that it previously had employed Mr. Escalante under a different name.

6. On March 17, 2015, I received a letter dated March 16, 2015 from Respondent's counsel regarding the EEOC's Application to Show Cause as well as EEOC's investigation.

7. Attachment A is a true and accurate copy of the March 16, 2015 letter I received from Respondent's counsel.

8. I declare under penalty of perjury that the foregoing is true and correct.

DATE: March 25, 2015



Maria Salacuse

¹ See e.g. ECF No. 2 at 2 ("Of the thirteen Charges filed, twelve were filed by aliens who lacked standing to pursue their claims under Title VII, because they could not demonstrate, despite an opportunity to do so, that they were authorized to work in the United States at the time of alleged discrimination."); *id.* at 4 ("Mr. Escalante [sic] also filed a Charge of National Origin Discrimination; however, unlike the twelve Unauthorized Aliens, Mr. Escalante [sic] was terminated because he failed to appear for his scheduled shift on July 28, 2013.)